

FILED

OCT 01 2013

IN THE CIRCUIT COURT OF TENNESSEE  
FOR THE THIRTIETH JUDICIAL DISTRICT AT MEMPHIS

CIRCUIT COURT CLERK  
BY \_\_\_\_\_ D.C.

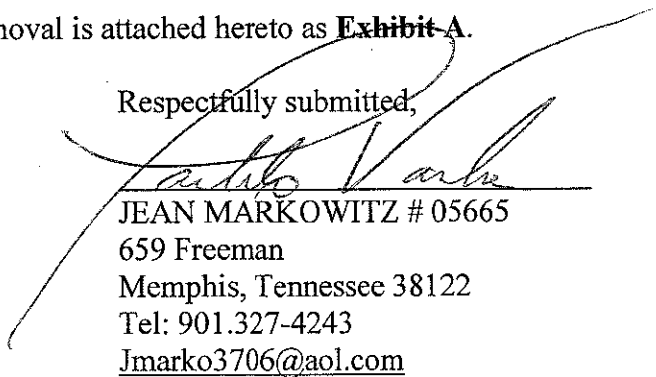
ANDRE DOTSON	)	
	)	
Plaintiff,	)	No.: CT-003910-13
	)	Division VII
v.	)	
	)	
SHELBY COUNTY, TENNESSEE et al.,	)	
	)	
Defendants.	)	

NOTICE OF FILING NOTICE OF REMOVAL

PLEASE TAKE NOTICE that a Notice of Removal in this action from the Circuit Court of Tennessee for the Thirtieth Judicial District at Memphis was filed with the Clerk of the United States District Court for the Western District of Tennessee on the 1st day of October, 2013

A copy of the Notice of Removal is attached hereto as **Exhibit A**.

Respectfully submitted,

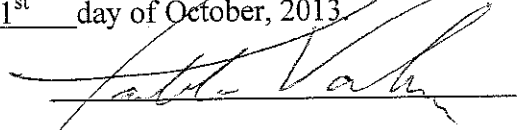
  
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Attorneys for Shelby County, Tennessee

Exhibit C

**CERTIFICATE OF SERVICE**

I hereby certify that a copy of the foregoing Pleading has been served upon Mr. Andre Dotson #12146457, Shelby County Jail, 201 Poplar Avenue, Memphis, TN 38103 by U.S. Mail, postage prepaid, on this 1<sup>st</sup> day of October, 2013.

  
\_\_\_\_\_

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF TENNESSEE  
WESTERN DIVISION**

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ANDRE DOTSON

Plaintiff,

No.: 12-

v.

SHELBY COUNTY GOVERNMENT, et al.,

Defendants.

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**NOTICE OF REMOVAL**

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Pursuant to 28 U.S.C. §§ 1441 and 1446, Defendants Shelby County Sheriff William Oldham, and Shelby County Chief Jailer Robert Moore, hereby give Notice of Removal of this action to this Court, and in support thereof state as follows:

1. On May 17, 2013, the Plaintiff forwarded a civil action to the Circuit Court, which was filed September 9, 2013, against Defendants, in the Circuit Court of Tennessee, for the Thirtieth Judicial District at Memphis, Case No. CT-003910-13, Division VII.
2. Shelby County Sheriff William Oldham and Chief Jailer Robert Moore were served summonses on September 19, 2013. A Copy of the Complaint served on Sheriff Oldham and Chief Jailer Moore, which was filed on May 17, 2013, is attached hereto and designated as **Exhibit A**. The Complaint is the only pleading served upon these Defendants in this action in Circuit Court. The

**Exhibit A**

Circuit Court file reflects that Plaintiff also filed, along with the Complaint, a copy of Tenn. Code Ann. §42-21-812, A Uniform Civil Affidavit of Indigency, an Order by the Circuit Court allowing filing on Pauper's Oath, and an Affidavit of Income and Property attached hereto and designated as **Exhibit B**.

3. This case is a civil action of which the United States District Court has original jurisdiction. The Plaintiff has alleged that he was deprived of his "constitutional and civil rights" pursuant to 42 U.S.C. § 2000cc the Religious Land Use and Institutionalized Persons Act, 42 U.S.C. § 2000bb Religious Freedom Restoration Act, the First Amendment to the United States Constitution. This Court has jurisdiction of such actions pursuant to 28 U.S.C. §§ 1331 and 1343.
4. Removal jurisdiction exists pursuant to 28 U.S.C. § 1441(b),
5. The following Defendants were served with the Complaint by summons as follows:
  - a. Shelby County Sheriff William Oldham, on or about September 19, 2013.
  - b. Chief Jailer Robert Moore, on or about September 19, 2013.
6. Upon information and belief, Defendant, ARAMARK has not yet been served a summons and complaint, is not yet a party to this litigation.
7. This Notice of Removal is filed within thirty (30) days after service upon the Defendants, Shelby County Sheriff William Oldham and Chief Jailer Robert Moore, who were served on or about September 19, 2013, and is timely under 28 U.S.C. § 1446(b).

8. Venue is proper in this court.
9. Notice of Filing Notice of Removal (**Exhibit C** hereto) with attached copy of this Notice of Removal is being filed with the Clerk of the Circuit Court for the Thirtieth Judicial District at Memphis and forwarded to Plaintiff as of the date appearing below.
10. Defendants expressly reserve the right to raise all defenses and objections in this cause of action after it is removed to this Court.

WHEREFORE, the Defendants Shelby County Sheriff William Oldham, and Shelby County Jail Chief Jailer Robert Moore give notice that this action is hereby removed from State Court to this Court.

DATED:

Respectfully submitted,

s/Jean E. Markowitz  
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Jmarko3706@aol.com

s/Pablo Adrian Varela  
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Attorneys for Shelby County, Tennessee

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s/Pablo Adrian Varela